REMARKS/ARGUMENTS

The present Amendment is in response to the Office Action having a mailing date of January 7, 2004. Claims 1-22 are pending in the present Application. Applicant has amended claims 1, 3, 7, 8, 10, 11, 12, 17, and 20. Applicant has canceled claim 2. Consequently, claims 1 and 3-22 remain pending in the present Application.

Applicant has amended claims 1, 12, and 20 to recite that the predetermined threshold is for data received, thereby harmonizing claim 1 with claims 7, 9, 10, and 11. Applicant has also amended claims 1, 7, 8, 10, 11, 12, and 20 to recite that the predetermined threshold is sufficient to ensure that reading of the data cell cannot get ahead of the writing of the data cell. Support for the amendment can be found in the specification, page 4, lines 11-16 and page 6, lines 9-13.

In the above-identified Office Action, the Examiner objected claims 2-11 and 17-19 because of an informality regarding the recitation of "a predetermined threshold." Applicant has amended claims 1, 7, 8, 10, 11, 12, and 17 to recite a predetermined threshold and a second predetermined threshold. Accordingly, Applicant respectfully submits that the Examiner's objection has been addressed.

In the above-identified Office Action, the Examiner rejected claims 1-4 and 10-15 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,115,387 (Egbert). The Examiner also rejected claims 5-9 and 16-22 under 35 U.S.C. § 103 as being obvious in light of Egbert.

In the above-identified Office Action, the Examiner rejected claims 1-4 and 10-15 under 35 U.S.C. § 102 as being anticipated by Egbert.

Applicant respectfully traverses the Examiner's rejection. Independent claim 1 recites a data buffer in which the signaling circuit provides a signal to transfer a portion of a data cell from the entry section prior to the data cell being completely received by the entry section. The signal is

provided once an amount of data received by the entry section reaches a predetermined threshold. Claim 1 also recites that the predetermined threshold is sufficient to ensure that reading of the data cell cannot get ahead of the writing of the data cell. Claims 10, 11, and 12 recite analogous data buffers and method.

The cited portions of Egbert fail to teach or suggest writing data cell into the buffer prior to the data cell being completely read in conjunction with providing a signal to transfer the data cell from the entry section once a predetermined threshold sufficient to ensure that reading of the data cell cannot get ahead of the writing has been reached for data being received by the buffer. The cited portions of Egbert describe forwarding the packets in line, forwarding packets once a threshold has been reached for the output queue (the data being read), and forwarding packets once a threshold of sixty-four bytes of received data has been reached. Egbert, col. 21, lines 1-36. However, Applicant can find no indication in the cited portions of Egbert of a particular relationship between the threshold of received data and the reading and writing operations. More specifically, the cited portions of Egbert are devoid or mention of using a predetermined threshold sufficient that ensures that reading of the data cell cannot get ahead of the writing has been reached for data being received by the buffer. Consequently, Egbert fails to teach or suggest the data buffers and method recited in independent claims 1, 10, 11, and 12. Accordingly, Applicant respectfully submits that claims 1, 10, 11, and 12 are allowable over the cited references.

Claims 3-4 depend upon independent claim 1. Claims 13-15 depend upon independent claim 12. Consequently, the arguments herein apply with full force to claims 3-4 and 13-15. Accordingly, Applicant respectfully submits that claims 3-4 and 13-15 are allowable over the cited references.

The Examiner also rejected claims 5-9 and 16-22 under 35 U.S.C. § 103 as being obvious in light of Egbert.
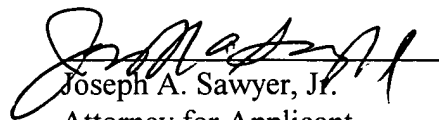
Independent claims 7, 8, and 20 recite that a signal to transfer or read a portion of a data cell from the entry section prior to the data cell being completely received by the entry section is provided based upon the amount of data received by the entry section reaching a predetermined threshold, which is sufficient to ensure that reading of the data cell cannot get ahead of the writing of the data cell. Thus, claims 7, 8, and 20 are analogous to claims 1, 10, 11, and 12. Consequently, the arguments herein apply with full force to claims 7, 8, and 20. Accordingly, Applicant respectfully submits that claims 7, 8 and 20 are allowable over the cited references.

Claims 5-6, and 9 and claims 16-19 depend upon independent claims 1, 8, and 12, respectively. Consequently, the arguments herein apply with full force to claims 2-6, 9, and 13-19. Accordingly, Applicant respectfully submits that claims 2-6, 9, and 13-19 are allowable over the cited references.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

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Date

Joseph A. Sawyer, Jr.
Attorney for Applicant
Reg. No. 30,801
(650) 493-4540